

REMARKS

The claims are amended to further clarify that by “is” applicants have always meant that the only adhesive is a peptide, a fat or gold.

Fischell et al. teaches a variety of stents, none of which anticipate or render obvious the present claims. Fischell teaches a stent A) that is made of “a pure metal or alloy which has been irradiated so that it has become radioactive; i.e., it is a radioisotope” (see col. 1, lines 65 to col. 2, line 1); B) a stent where the metal has alloyed into it and element that can be made into a radioisotope (see col. 2, lines 23-25); C) a stent that has a radioisotope such as gold plated onto the surface of the stent (see col. 2, lines 33-38); and D) a stent that has a radioisotope plated onto the surface of the stent that is then coated with an anti-thrombogenic coating (see col. 2, lines 39-43). None of these embodiments described by Fischell et al. anticipate or render obvious a stent that adheres a radiolabeled isotope with an adhesive that is a peptide, a fat or gold, said gold used in combination with a thiol-group-containing complexing agent. The use of adhesives is not taught or suggested by Fischell for fixing radiolabeled isotopes to the surface of the stent, and especially not the use of the specific adhesives of the present claims.

Suthanthiran teaches pellets for radioactive seeds, none of which in combination with Fischell render obvious the present claims.

Suthanthiran teaches radiolabeled pellets that can be coated with a polyamino acid.

In one embodiment, the pellet is coated with a polyamino acid **and** a binder and is then labeled with a radioactive material. See column 3, lines 10-14, Examples 1 and 2 and Figures 1-3 (all figures) and the following locations in the specification explaining the figures: column 2, lines 64-65, column 5, lines 4-11, and column 7, lines 52-61. The reference also teaches that “when the polyamino acid is to be applied to the marker/substrate and subsequently impregnated with radioactive material, it is necessary to combine the acid (in powder form) with an appropriate binder material.” (Emphasis added.) See column 4, lines 15-18. Thus, in this embodiment, the reference does not teach the sole use of a polyamino acid and a radioactive material on a pellet as each embodiment requires the presence of a binder.

In its other embodiment, Suthanthiran teaches a polyamino acid labeled with radioactive material in a solution that is coated onto or dispersed in a flexible carrier film, which film is then

adhered to the pellet again with an adhesive. See column 5, lines 39-45 and Example 3. This embodiment is irrelevant for the same reasons discussed above.

The combination of the cited references does not render the present claims obvious. The first reference does not teach or suggest the use of any adhesives, while the second reference only teaches the use of a combination of a polyamino acid and second adhesive binder.

Additionally, with respect to claims 13, 29 and 30, nothing in either reference teaches or suggest a complexing peptide, fat or gold.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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